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EXAMINER

EDELMAN, BRADLEY E

ART UNIT PAPER NUMBER

2153

DATE MAILED: 10/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/579,947

Applicant(s)

BAGLEY ET AL.

Examiner

Bradley Edelman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-36,78-95,109 and 113-165 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-6,8-14,80-83,90 and 113 is/are allowed.
- 6) ☒ Claim(s) 15-22,25,28-30,78,79,84-89,91,94,95,114-128,130-136,139-147 and 150-165 is/are rejected.
- 7) ☒ Claim(s) 23,24,26,27,31-36,92,93,109,129,137,138,148 and 149 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

This Office action is in response to Applicant's amendments and request for reconsideration filed on July 22, 2004. Claims 1-6, 8-36, 78-95, 109, and 113-165 are presented for examination. Claims 115-165 are new claims.

A. Preexisting Claims

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claims 18, 28-36, 84, 91, and 94 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In considering claim 18, this claim contradicts claim 1, from which it depends, and is thus unclear. Claim 1 requires that the plurality of different applications are of *different* types: "at least one communication application selected from a collection of different types of applications." However, claim 18 then states that "said collection of different communication applications include communication applications of the same type and/or same type but different formats." Thus, the recitation of applications "of different types" "of the same type" is confusing and contradictory. The use of the "and/or" language is also unclear. Correction is required.

In considering claim 28, the phrase "the telephone address string on line 7 of the claim lacks sufficient antecedent basis. Because claims 29-36 and 94 depend from claim 28, they are rejected for the same reasons.

In considering claim 84, the phrase "said valid internet address" on lines 1-2 of the claim lacks sufficient antecedent basis.

In considering claim 91, the phrase "said valid address format" lacks sufficient antecedent basis, and thus does not make sense in the context of the claim from which it depends.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 28, 29, 78, 79, 85-88, 94, and 95 are rejected under 35 U.S.C. 102(b) as being anticipated by 1800flowers.com (Web Archive copy of the 1800flowers.com website as of 1996, hereinafter "800Flowers").

In considering claim 28, 800Flowers discloses a method for communicating across at least one communication medium (i.e. the Internet or a phone line), comprising:

Receiving an address string (i.e. "1800flowers") inputted into a plurality of communication applications selected from a collection of different types of

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communication applications, including an analogue telephone (i.e. either a telephone or a web application) wherein the same address string can be validly inputted for any selected communication application from said collection and can be interpreted by a telephone system and a domain name server without reversing or manipulation of the telephone address string (i.e. the string "1800flowers" is entered into either application and is used for the telephone system or domain name lookup without manipulation).

In considering claim 29, 800Flowers further discloses determining at least one communication medium based on the selected communication applications (i.e. upon using the browser, the use of the Internet is determined, or upon using the telephone, the user of the PSTN is determined); and establishing communication across the determined communication medium (i.e. an Internet or phone communication).

In considering claim 94, 800Flowers further discloses that the string is a validly registered domain name (i.e. "1800flowers").

In considering claim 78, 800Flowers discloses a method of connecting a user's communication applications across at least two diverse communication media (i.e. phone and Internet) to a recipient's respective communication applications using a common address string, comprising:

Forming the common address string by combining the recipient's telephone number ("1800flowers") with a top level domain name ("com");

Inputting at least a portion of the common address string into at least two of the user's communication applications (i.e. "1800flowers may be input into either a web browser or a telephone);

The user's at least two communications applications using the inputted portion to connect to the recipient's respective communication applications (i.e. "1800flowers" is used to connect to a phone application, and is also be used to communicate with the web site via the user's web browser);

Wherein a first of said at least two diverse communication media is chosen from the group of telephone systems, world wide web resource locators, and internet browsers (i.e. telephone systems when "1800flowers" is entered into a phone); and

Wherein a second of said at least two said diverse communication media is chosen from the group of e-mail systems, world wide resource locators, and internet browsers (i.e. "1800flowers" can be entered into the browser).

In considering claim 79, 800Flowers further discloses that the common address string forms a valid Internet domain name or sub-domain name ("1800flowers.com").

In considering claim 85, 800Flowers further discloses that the common address string also includes a dot-delimited subdomain to further distinguish the final address (i.e. "www.1800flowers.com").

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In considering claim 86, 800Flowers further discloses that a dot-delimited subdomain determines the communication medium (i.e. "www.1800flowers.com" determines that the medium is the Internet).

In considering claims 87, 800Flowers further discloses that the second communication application is a www resource locator (i.e. browser).

In considering claims 88, 800Flowers further discloses that the second communication application is a telephone service (i.e. telephone).

In considering claim 95, 800Flowers further discloses that the common address string is a registered internet domain name ("997.561.1.provider2.com").

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 15-20, 22, 25, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over 800Flowers, in view of Kelly (U.S. Patent No. 6,594,254).

In considering claim 15, 800Flowers discloses a method for communicating across at least two communication media (i.e. Internet or telephone), the method comprising:

Receiving an address string comprising at least a telephone number of a target entity (i.e. "1800flowers") and terminating in a top level internet domain (i.e. ".com"), and inputting the address string into any communication application selected from a plurality of diverse applications chosen from the group of a telephone or a web browser, wherein the same address string can be validly inputted by the user for any selected communication application of the user to reach a respective communication application of a second user (i.e. one can either enter "1800flowers" followed by ".com" into a telephone to call another user via telephone, or one can enter the string into the input box in a web browser to access the 1800flowers.com web site).

However, 800Flowers does not disclose that the application can be a voice over internet protocol telephone. Nonetheless, the use of VoIP to make telephone calls is well known, as evidenced by Kelly (col. 11, lines 50-60). Given this knowledge, a person having ordinary skill in the art would have readily recognized the desirability and advantages of using the same address string to initiate a phone call using a VoIP application, because VoIP calls cost less than regular phone calls. Therefore, it would have been obvious to use the same input string used on the telephone and web browser taught by 800Flowers to make a phone call using a VoIP application.

In considering claim 16, 800Flowers further discloses determining at least one communication medium based on the selected communication application, and establishing communication across the determined communication medium (i.e. if the user selects the phone, the system will use the PSTN, but if the user selects a web browser or VoIP, the system will use the Internet).

In considering claim 17, 800Flowers further discloses that said at least one communication medium is a homogenous medium or a plurality of heterogeneous mediums (this group necessarily includes all communications, of which the PSTN and the Internet are a part).

In considering claim 18, as understood, 800Flowers further discloses that the plurality of diverse communication applications include communication applications having the same type (i.e. browsers or phone applications). Examiner takes official notice that it is well known for applications having the same type to have different formats (i.e. the different versions of applications, such as Internet Explorer versus Netscape browsers will have some of the same and some diverse formats). It would have been obvious to allow communication across applications having different formats so that users of any type of browser or phone application could benefit from the services offered by 1800flowers.

In considering claim 19, 800Flowers further discloses that the communications application is a world wide web resource locator (i.e. a browser).

In considering claim 20, 800Flowers further discloses that the communication application is a telephone service (i.e. phone).

In considering claims 22 and 30, Kelly further discloses that receiving an address string further comprises recognizing that the input address has a different format than the format used by the communication application, and mapping the string into a format utilized by the communication application (col. 13, lines 58-67, wherein the “@@” symbols and the dashes are removed). It would have been obvious to include this feature in the system taught by 800Flowers and Kelly, so that the system can correct the situation where a user mistakenly enters an incorrect character.

In considering claim 25, 800Flowers further discloses that the address string consists of a registered domain name (i.e. “1800flowers.com”).

4. Claims 89 and 91 are rejected under 35 U.S.C. 103(a) as being unpatentable over 800Flowers, in view of Dial A Mattress (Web Archives copy of the Dial A Mattress website as of February 10, 1998, hereinafter “Mattress”).

In considering claim 89, although the system taught by 800Flowers discloses substantial features of the claimed invention, it fails to disclose that the string can also

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be entered into an e-mail application. Nonetheless, the use of a phone number string that can be used for both phones, Web browsers, and e-mail addresses is well known, as evidenced by Mattress (i.e. the string "MATTRESS" terminating with the "com" can be used to call the company via phone (1-800-MATTRESS), can be used to access the company's website (www.mattress.com), and can also be used to contact the company via e-mail ("webmaster@mattress.com"). Given this teaching, it would have been obvious to a person having ordinary skill in the art to use the same string taught by 800Flowers to contact the 1-800-Flowers company via e-mail, as done by Dial A Mattress so that users can associate all communication media with the 1800flowers name, thereby making it easier for them to contact 1-800-Flowers.

In considering claim 91, as understood, as discussed with regard to claim 89 above, Mattress further discloses using the address format as an e-mail address, which uses an @ symbol and at least one character. It would have been obvious to include e-mail communications with 1800Flowers so that users can associate all communication media with the 1800flowers name, thereby making it easier for them to contact 1-800-Flowers.

5. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over 800Flowers, in view of Kelly, and further in view of Mattress).

In considering claim 21, although the system taught by 800Flowers and Kelly discloses substantial features of the claimed invention, it fails to disclose that the string

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can also be entered into an e-mail application. Nonetheless, the use of a phone number string that can be used for both phones, Web browsers, and e-mail addresses is well known, as evidenced by Mattress (i.e. the string "MATTRESS" terminating with the "com" can be used to call the company via phone, can be used to access the company's website, and can also be used to contact the company via e-mail ("webmaster@mattress.com"). Given this teaching, it would have been obvious to a person having ordinary skill in the art to use the same string taught by 800Flowers to contact the 1-800-Flowers company via e-mail, so that users can associate all communication media with the 1800flowers name, thereby making it easier for them to contact 1-800-Flowers.

6. Claims 84 and 114 are rejected under 35 U.S.C. 103(a) as being unpatentable over 800Flowers, in view of Mattress, and further in view of ESPN.com (Web Archive copy of espn.go.com from January 1999).

In considering claim 84, although the combined teaching of 800Flowers and Mattress discloses substantial features of the claimed invention, it fails to disclose that the user domain name is in the form "telno.x.domain." Nonetheless, using various forms of domain names for a given company or individual is well known, as evidenced by ESPN.com. The ESPN.com reference shows that ESPN chose to form its domain name in the form of espn.go.com, or "companyinformation.x.domain." Applying this to the telephone number entities described by 800Flowers and Mattress would result in a domain name of 1800flowers.go.com, or "telno.x.domain." It would have been obvious

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to allow such selection of domain names in the telephone number systems, so that the phone number entities could subcontract their website maintenance to a third party, such as go.com, thereby saving time by outsourcing their web site maintenance.

In considering claim 114, 800Flowers further discloses that the "domain" portion of the internet address name is a valid, registered internet domain name (i.e. ".com").

B. The New Claims

Claim Rejections - 35 USC § 112

7. Claims 117-121, 130, 139, 143, and 150-165 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In considering claims 117, 143, and 153 the phrase "all of the second level domains of said top level domain" lacks sufficient antecedent basis, as the claims do not previously introduce a group of second level domains.

Claims 118-121 depend from claim 117 and are thus rejected as well.

In considering claim 130, which depends from claim 115, the phrase "selectively mapping predetermined *non-numeric*, invalid components of said telephone number string" contradicts claim 115 because claim 115 requires that the telephone number consists of seven digits. Correction is required.

In considering claim 139, the preamble is missing a transitional phrase, such as "comprising," or "including."

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In considering claim 150, the term “the user’s second telephone number” on line 3 of the claim lacks sufficient antecedent basis. It appears that the phrase should read “the second user’s telephone number” and the phrase has been interpreted as such.

Claims 151-165 depend from claim 150 and are thus rejected for the same reasons.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claim 139 is rejected under 35 U.S.C. 102(b) as being anticipated by 800Flowers.

In considering claim 139, 800Flowers discloses a method for a user communicating across at least a first non-internet telephone media (i.e. telephone) and a second textual, non-voice media (i.e. web browser), comprising:

Receiving a telephone number string (“1800flowers”) comprising at least a telephone number of a target entity and terminating in a top level internet domain, and imputing said telephone number string into either the first non-internet telephone media (i.e. the telephone) or second textual media (i.e. web browser).

Claim Rejections - 35 USC § 103

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9. Claims 115, 122, 123, 150-152, 154, 155, and 157 are rejected under 35 U.S.C. 103(a) as being unpatentable over 800Flowers.

In considering claim 115, 800Flowers discloses a method for a first user communicating to a second user over a plurality of communication media, comprising the steps of:

receiving from the second user a telephone number associated with the second user that includes at least a four digit telephone number string, and assigning the second user a user domain name which includes at least said telephone number string and a top level domain (i.e. 1-800-Flowers registers its domain name as "1800flowers.com");

wherein the first user can connect to the second user by telephone by dialing said telephone number string (i.e. dialing 1-800-FLOWERS), and the first user can retrieve a webpage of said second user by entering said user domain name in a webbrowser (i.e. "www.1800flowers.com").

However, 800Flowers does not disclose that the phone number string includes at least 7 digits. Instead, it only includes four digits. Nonetheless, the choice of the number of digits used to represent a user who opts to use his/her telephone number as a domain name is arbitrary and a mere matter of preference. On a phone, the numbers are interchangeable with the letters, so phone numbers can be represented as a string of numbers or a string of letters without affecting the result of the dialing. Thus, it would have been obvious to represent the 1800Flowers website – or any other website based on a phone number – by using digits instead of letters, because sometimes digits are

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easier to remember than letters or words. Thus, it would have been obvious to adapt the phone-number-as-domain-name concept used by 800Flowers for other companies or individuals who are better known by their numerical phone number than their alphabetical phone number.

In considering claims 122 and 123, 800Flowers further discloses that the domain name is in the form telno.domain (i.e. "1800flowers.com").

In considering claim 150, as understood, claim 150 contains the same limitations as claim 115 and is thus rejected for the same reasons.

In considering claims 151 and 152, as discussed with regard to claim 115, the selection of numbers verses letters for the domain name is arbitrary, and it would be obvious to use any combination of letters and numbers according to the user's phone number and depending on which combination of numbers and letters is more memorable. Thus, it would have been obvious for the telephone number string to be substantially all numbers or only numbers.

In considering claim 154, 800Flowers further discloses that the domain name is in the form telno.domain (i.e. "1800flowers.com").

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In considering claim 155, 800Flowers further discloses that the user domain name is a top level domain (i.e. "com").

In considering claim 157, examiner takes official notice that text messaging is well known in the art. Thus, it would have been obvious to extend the single-phone-number identification system taught by 800Flowers to text messaging, so that users do not have to remember any additional names and can rely on "1800flowers" for all communications.

10. Claims 116, 126-128, 131-134, 136, 140-142, 144, 145, 147, and 158 are rejected under 35 U.S.C. 103(a) as being unpatentable over 800Flowers, in view of Mattress.

In considering claims 116 and 158, although 800Flowers does not explicitly disclose using the phone number string as part of an e-mail address with an @ separator and a top level domain, such e-mail addresses are well known, as evidenced by Mattress. It would have been obvious to further use the 1800flowers string as part of the 1-800-Flowers e-mail address, so users could easily remember and send e-mails to 1-800-Flowers, as suggested by Mattress.

In considering claims 126-128, examiner takes official notice that text messaging, instant messaging, and webphone communications are all well known in the art. Thus, it would have been obvious to extend the single-phone-number identification system

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taught by 800Flowers and Mattress to text messaging, instant messaging, and webphone communications, so that users do not have to remember any additional names and can rely on "1800flowers" or "mattress" for all communications.

In considering claim 131, the combination of 800Flowers and mattress, as discussed with regard to claim 116, discloses a method for a first user to communicate to a second user across at least a first non-internet telephone media (i.e. telephone) and a second textual, non-voice media (i.e. e-mail or web browser) comprising the steps of:

Receiving from the second user a telephone number associated with the second user (i.e. "1800Flowers" or "Mattress") and creating a numeric telephone number string that includes the second user telephone number ("1800Flowers");

Assigning the second user a user domain name which includes at least said telephone number string and a top level domain ("1800Flowers.com," "Mattress.com");

Assigning the second user a valid user e-mail address which includes at least said telephone number string, and "@" separator, and a top-level domain ("webmaster@mattress.com"); and

Allowing the first user to contact the second user via the phone number, e-mail address, or by entering the domain name in a web browser (that's what the address strings are used for).

In considering claim 132, as discussed with regard to claim 115, the selection of numbers verses letters for the domain name is arbitrary, and it would be obvious to use any combination of letters and numbers according to the user's phone number and depending on which combination of numbers and letters is more memorable. Thus, it would have been obvious for the telephone number string to be substantially all numbers.

In considering claim 133, 800Flowers further discloses that the domain name is in the form telno.domain (i.e. "1800flowers.com").

In considering claim 134, 800Flowers further discloses that the user domain name is a top level domain (i.e. "com").

In considering claim 136, examiner takes official notice that text messaging is well known in the art. Thus, it would have been obvious to extend the single-phone-number identification system taught by 800Flowers and Mattress to text messaging, so that users do not have to remember any additional names and can rely on "1800flowers" or "mattress" for all communications.

In considering claim 140, claim 140 contains no further limitations over claim 131 and is thus rejected for the same reasons.

In considering claim 141, claim 141 contains no further limitations over claim 132 and is thus rejected for the same reasons.

In considering claim 142, claim 142 is rejected for the same reasons as claim 132 (i.e. it would have been obvious for the telephone number string to contain any combination of letters and numbers according to whatever combination is easiest to remember).

In considering claim 144, claim 144 contains no further limitations over claim 133 and is thus rejected for the same reasons.

In considering claim 145, claim 145 contains no further limitations over claim 134 and is thus rejected for the same reasons.

In considering claim 147, claim 147 contains no further limitations over claim 136 and is thus rejected for the same reasons.

11. Claims 135, 146, and 159-165 are rejected under 35 U.S.C. 103(a) as being unpatentable over 800Flowers, in view of Mattress, and further in view of ESPN.com (Web Archive copy of espn.go.com from January 1999).

In considering claims 135 and 146, although the combined teaching of 800Flowers and Mattress discloses substantial features of the claimed invention, it fails

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to disclose that the user domain name is in the form "telno.x.domain." Nonetheless, using various forms of domain names for a given company or individual is well known, as evidenced by ESPN.com. The ESPN.com reference shows that ESPN chose to form its domain name in the form of espn.go.com, or "companyinformation.x.domain." Applying this to the telephone number entities described by 800Flowers and Mattress would result in a domain name of 1800flowers.go.com, or "telno.x.domain." It would have been obvious to allow such selection of domain names in the telephone number systems, so that the phone number entities could subcontract their website maintenance to a third party, such as go.com, thereby saving time by outsourcing their web site maintenance.

In considering claims 159-165, these claims all present different ways to represent the user's e-mail address using different combinations of miscellaneous text strings, telephone numbers, usernames, and top-level domain names. Nonetheless, as taught by Espn.com, it is well known to vary the order and combination of text strings used to formulate a network address (i.e. espn.go.com versus www.espn.com). It would be obvious to rearrange the strings taught by 800Flowers and Mattress in different manners, as suggested by Espn.com, to increase the number of available addresses for each user. Therefore, it would have been obvious to use the different arrangements of strings described in claims 159-165.

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12. Claim 156 is rejected under 35 U.S.C. 103(a) as being unpatentable over 800Flowers, in view of ESPN.com.

In considering claim 156, although the teaching of 800Flowers discloses substantial features of the claimed invention, it fails to disclose that the user domain name is in the form "telno.x.domain." Nonetheless, using various forms of domain names for a given company or individual is well known, as evidenced by ESPN.com. The ESPN.com reference shows that ESPN chose to form its domain name in the form of espn.go.com, or "companyinformation.x.domain." Applying this to the telephone number entities described by 800Flowers and Mattress would result in a domain name of 1800flowers.go.com, or "telno.x.domain." It would have been obvious to allow such selection of domain names in the telephone number systems, so that the phone number entities could subcontract their website maintenance to a third party, such as go.com, thereby saving time by outsourcing their web site maintenance.

13. Claims 117-121, 124, and 143 are rejected under 35 U.S.C. 103(a) as being unpatentable over 800Flowers, in view of Mattress, and further in view of Low et al. (U.S. Patent No. 6,131,095, hereinafter "Low").

In considering claim 117, 121, and 143, Examiner has interpreted the claim as meaning that the top level domain name services multiple second level domains, wherein the second level domains comprise telephone number strings assigned to specific users. This is not explicitly disclosed by either 800Flowers or Mattress. However, Low teaches that a single top-level domain can be used to handle a set of

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domain names that include telephone numbers (col. 11, lines 10-18). Given this teaching, and given the knowledge that multiple phone number domain names exist (i.e. 1800flowers.com, mattress.com, 1800collect.com, etc.), it would have been obvious for the 1800flowers site to be part of a system that includes all telephone number domain names under one specific top-level domain, so that an organized administrator can administer all registrations of telephone number domain names to prevent conflicts and otherwise manage the registration.

In considering claims 118-120, as discussed with regard to claim 115, the selection of numbers verses letters for the domain name is arbitrary, and it would be obvious to use any combination of letters and numbers according to the user's phone number and depending on which combination of numbers and letters is more memorable.

In considering claim 124, the combination of 800Flowers, Mattress, and Low further discloses that the top level domain is dedicated substantially to registering second level domains in the form of telno.tld (i.e. if the phone number domain names were to use a single top level domain, such as "tel" taught by Low, they would be of the form "1800flowers.tel" and "mattress.tel").

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14. Claim 125 is rejected under 35 U.S.C. 103(a) as being unpatentable over 800Flowers, in view of Mattress, and further in view of Low, and further in view of ESPN.com.

In considering claim 125, although the combined teaching of 800Flowers, Mattress, and Low discloses substantial features of the claimed invention, it fails to disclose that the user domain name is in the form "telno.x.domain." Nonetheless, using various forms of domain names for a given company or individual is well known, as evidenced by ESPN.com. The ESPN.com reference shows that ESPN chose to form its domain name in the form of espn.go.com, or "companyinformation.x.domain." Applying this to the telephone number entities described by 800Flowers and Mattress would result in a domain name of 1800flowers.go.com, or "telno.x.domain." It would have been obvious to allow such selection of domain names in the telephone number systems, so that the phone number entities could subcontract their website maintenance to a third party, such as go.com, thereby saving time by outsourcing their web site maintenance.

15. Claim 153 is rejected under 35 U.S.C. 103(a) as being unpatentable over 800Flowers, further in view of Low.

In considering claim 153, Examiner has interpreted the claim as meaning that the top level domain name services multiple second level domains, wherein the second level domains comprise telephone number strings assigned to specific users. This is not explicitly disclosed by 800Flowers. However, Low teaches that a single top-level

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domain can be used to handle a set of domain names that include telephone numbers (col. 11, lines 10-18). Given this teaching, and given the knowledge that multiple phone number domain names exist (i.e. 1800flowers.com, mattress.com, 1800collect.com, etc.), it would have been obvious for the 1800flowers site to be part of a system that includes all telephone number domain names under one specific top-level domain, so that an organized administrator can administer all registrations of telephone number domain names to prevent conflicts and otherwise manage the registration.

Allowable Subject Matter

16. Claims 1-6, 8-14, 80-83, 90, and 113 are allowed.

17. Claims 23, 24, 26, 27, 31-36, 92, 93, 109, 129, 137, 138, 148, and 149 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In considering these claims, the prior art of record fails to disclose or render obvious the specific translation, segmenting, and re-sequencing steps, as used within the claimed invention of claims 1, 23, 31, 80, 129, 137, and 148, and further fails to disclose the differentiating, stripping, and mapping steps, as used within the claimed invention of claim 80, 138, and 149.

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

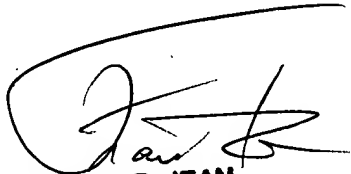
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Edelman whose telephone number is 703-306-3041. The examiner can normally be reached from 9 a.m. to 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



FRANTZ B. JEAN
PRIMARY EXAMINER

BE
October 7, 2004